

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Ruben et al.

Docket No.: PZ002P2C1

Application No.: 09/882,171

Confirmation No.: 9197

Filed: June 18, 2001

Art Unit: 1631

For: 186 Human Secreted Proteins

Examiner: J. Martinell

INFORMATION DISCLOSURE STATEMENT

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure imposed by 37 C.F.R. § 1.56 to inform the Patent and Trademark Office of all references coming to the attention of each individual associated with the filing or prosecution of the subject application, which are or may be material to the patentability of a claim of the subject application, Agent for Applicants hereby directs the Examiner's attention to references A-AO listed on the attached Form PTO/SB/08. Copies of the references AN and AO are enclosed.

Copies of references A-AM were submitted by Applicants or cited by the Examiner in connection with U.S. Application Nos. 09/146,476, filed September 8, 1998; 09/809,391, filed March 16, 2001; and 10/164,861, filed June 10, 2002, to which the instant application claims priority under 35 U.S.C. § 120. Pursuant to 37 C.F.R. § 1.98(d), the Examiner is directed to the file of U.S. Application Nos. 09/146,476, 09/809,391, and 10/164,861 for copies of references A-AM. For the Examiner's convenience, Applicants note that references A-AM were previously cited in the above referenced applications wherein the claims pursued were drawn to a different gene/protein compared to the gene/protein to which the presently pending claims are drawn.

Identification of the listed references is not to be construed as an admission of any individual associated with the filing or prosecution of the subject application that such references are available as "prior art" against the subject application. Furthermore, Applicants do not waive any rights to take appropriate action to establish patentability over any of the listed documents should they be applied as references against the claims of the subject application.

The above information is presented so that the Patent and Trademark Office can determine any materiality thereof to the claimed invention. See 37 CFR 1.104(a) concerning the PTO duty to consider and use any such information. It is respectfully requested that the information be considered during the prosecution of this application.

Pursuant to 37 C.F.R. § 1.97(b), this Information Disclosure Statement is being filed before the mailing of a first Office Action on the merits. Accordingly, no fee is believed due. However, should the Patent Office determine otherwise, please charge such fee to our Deposit Account No. 08-3425.

Dated: 12/17/2004

Respectfully submitted,

By Doyle A. Siever

Doyle A. Siever (Reg. No.: 47,088)

Agent for Applicants

HUMAN GENOME SCIENCES, INC.

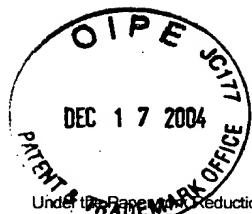
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet

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of

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Complete if Known

Application Number	09/882,171-Conf. #9197
Filing Date	June 18, 2001
First Named Inventor	Steven M. Ruben
Art Unit	1631
Examiner Name	J. Martinell

Attorney Docket Number PZ002P2C1

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
A	US-5,536,637	07-16-1996	Jacobs, Kenneth		
B	US-20030165875	09-04-2003	Colonna et al.		
C	US-4,923,813	05-08-1990	Hecht et al.		

FOREIGN PATENT DOCUMENTS

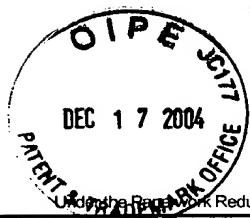
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
D	EP-0 679 716	11-02-1995	Matsubara Kenichi			
E	WO-97 07198	02-27-1997	Genetics Institute			
F	WO-97 04097	02-06-1997	Genetics Institute			
G	WO-90 14432	11-29-1990	Genetics Institute			
H	WO-96 17925	06-13-1996	Immunex Corp.			
I	WO-98/39448	09-11-1998	Human Genome Sciences, Inc.			
J	WO-99 06439	02-11-1999	Genset	SEQ ID NOS:164 & 311; claims 1-37		

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
K	Genbank Accession No. AAF71694 (05/24/00).		
L	BOUCHON et al., "Cutting edge: inflammatory responses...", J. Immunol., 164(10):4991-4995 (5/15/00).		
M	Geneseq Accession No. Y87334 (01/06/00).		
N	Geneseq Accession No. Z98219 (01/06/00).		
O	Genbank Accession No. H04128 (06/20/95).		
P	HILLIER et al., Genbank Accession No. N39235 (01/19/96).		
Q	HILLIER et al., Genbank Accession No. H16400 (06/27/95).		
R	JACOBS et al., "A novel method for isolating eukaryotic cDNA clones...", J. of Cell. Biochem. Suppl., abstract no. C1-207 (1995).		
S	SUZUKI et al., "An Introduction to Genetic Analysis", Third Edition, W.H. Freeman and Company, New York, NY (1986).		
T	GEORGE et al., "Current Methods in Sequence Comparison and Analysis", Macromolecular Sequencing and Synthesis, Selected Methods and Applications, D.H. Schlesinger (ed.) Alan R. Liss, Inc., New York, NY, pgs. 127-149 (1988).		
U	BARTON et al., "Protein sequence alignment and database scanning", Protein Structure Prediction, A Practical Approach, IRL Press at Oxford University Press, Oxford, UK, pgs. 31-63 (1996).		

Examiner Signature	Date Considered
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PTO/SB/08a/b (08-03)

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				First Named Inventor	Steven M. Ruben
				Art Unit	1631
				Examiner Name	J. Martinell
Sheet	2	of	2	Attorney Docket Number	PZ002P2C1

	V	Geneseq Accession No. Y02365 (04/15/99).	
	W	Geneseq Accession No. Y11659 (02/11/99).	
	X	Geneseq Accession No. G00571 (09/06/00).	
	Y	Geneseq Accession No. X35709 (04/15/99).	
	Z	Geneseq Accession No. X35708 (04/15/99).	
	AA	Geneseq Accession No. X40377 (02/11/99).	
	AB	Geneseq Accession No. C00577 (09/06/00).	
	AC	Genbank Accession No. AA101983 (05/11/97).	
	AD	Genbank Accession No. AA494171 (08/19/97).	
	AE	Genbank Accession No. AA099288 (05/11/97).	
	AF	Genbank Accession No. D78812 (02/09/96).	
	AG	NATHAN et al., "TREM-1: A New Regulator of Innate Immunity in Sepsis Syndrome", Nature Medicine, Volume 7, Number 5, pages 530-532 (May, 2001).	
	AH	BOUCHON et al., "TREM-1 Amplifies Inflammation and is a Crucial Mediator of Septic Shock", Nature, Volume 410, pages 1103-1107 (April 26, 2001).	
	AI	CIVIN et al., Ann. NY Acad. Sci. (1995), 770:91-8.	
	AJ	SILVESTRI et al., Int. J. Artif. Organs (1993) 16 Suppl 5:96-101.	
	AK	HOLYOAKE et al., Clin. Oncol. (1996), 8(4):214-21.	
	AL	CANCELAS et al., "Peripheral blood CD34+ cell immunomagnetic selection in breast cancer patients: effect on hematopoietic progenitor content and hematologic recovery after high-dose chemotherapy and autotransplantation," Transfusion (1998), 38:1063-1070.	
	AM	ABONOUR et al., "Autologous transplantation of mobilized peripheral blood CD34+ cells selected...", Bone Marrow Transplant. (1998), 22:957-963.	
	AN	DE LA FUENTE et al., "CD84 Leukocyte Antigen Is a New Member of the Ig Superfamily," Blood, 90(6):2398-2405 (Sep. 15, 1997).	
	AO	TANGYE et al., "Functional Requirements for Interactions Between CD84 and Src Homology 2 Domain-Containing Proteins and Their Contribution to Human T Cell Activation," J. Immun., 171:2485-2495 (2003).	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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